

EXHIBIT O

From: [Krista Oehlke](#)
To: ["Sady, Michael \(USAMA\)"](#)
Cc: ["Katherine Anthony"](#); [Daniel McFadden](#); [Matthew Segal](#)
Subject: ACLUM + AO v. ICE, 1:21-cv-10761 NMG 2021-ICLI-00017
Date: Wednesday, October 13, 2021 10:27:00 AM
Attachments: [image001.png](#)

Hi Mike,

I am writing to document what is still outstanding since our meet and confer on September 9 ("Initial Search") and ask some follow up questions after reviewing the records produced pursuant to ICE's supplemental search ("Supplemental Search").

Initial Search (outstanding items):

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1. ICE agreed to unredact the names and identities of high-level officers on pp. 46, 53, 54, 55, which were initially withheld pursuant to (b)(6) and (b)(7)(c). This is outstanding.
2. ICE indicated it would lift all redactions initially claimed under the (b)(5) exemption, except for the redaction on p. 53, which ICE has agreed to only partially redact. We have not yet received the records with the redactions lifted as previously indicated.
3. ICE indicated it would look into the origins of the articles on pp. 1-2 and 40-43. This is outstanding.
4. ICE agreed to look into whether an electronic search was performed beyond a search of ICE personnel emails. This is outstanding.
5. ICE agreed to produce the "2 pages of potentially responsive records" sent on consult to the DOJ. ICE has not produced these pages as of the writing of this email.

Supplemental Search:

We appreciate that ICE has conducted a supplemental search. We have some questions and concerns in light of the results of that search:

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6. Could ICE please clarify the search terms that were used in the supplemental search?
7. Could ICE please provide an explanation for the (b)(7)(a) redactions on pp. 63 and 65? We see the reference to an HSI Boston investigation. Is ICE asserting that the exemption applies because HSI was the entity that investigated the Judge Joseph case?
8. Of the records produced to date, the earliest concerning Judge Joseph is dated March 6, 2019, shortly before Judge Joseph was indicted on April 25, 2019. However, the [New York Times](#) article referenced in our FOIA request, and the possible use of HSI Boston to conduct the investigation, strongly suggest that ICE was extensively communicating about the events that occurred at the Newton District Court on or shortly after they occurred on April 2, 2018. Given that ICE's searches to date have only located records that are very close in time to the indictment a year after the incident, it seems clear that ICE was using alternative devices to communicate about the events of April 2, which were not identified through ICE's searches. Given the results of the search, we continue to believe it would be appropriate for ICE to conduct a search of ICE personnel text messages for the requisite time period (March 15, 2018 through April 25, 2019) using the same search terms used for the supplemental search. Please let us know if ICE will agree.

Best,
Krista

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